

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

IVY HILL SNF, LLC

and

Case 04-RC-167699

DISTRICT 1199C, NATIONAL UNION OF
HOSPITAL AND HEALTH CARE EMPLOYEES,
AFSCME, AFL-CIO

ORDER

The Employer's Request for Review of the Acting Regional Director's Decision and Direction of Election is denied as it raises no substantial issues warranting review.¹

MARK GASTON PEARCE, Chairman

PHILIP A. MISCIMARRA, Member

KENT Y. HIROZAWA, Member

Dated, Washington, D.C., May 25, 2016.

¹ In denying review, we observe that the Acting Regional Director relied on *G4S Regulated Security Solutions*, 358 NLRB 1701 (2012), which the Board incorporated by reference in 362 NLRB No. 134 (2015).

Member Miscimarra adheres to the view that the Board should apply the commonsense factors for evaluating supervisory status outlined in *Buchanan Marine, L.P.*, 363 NLRB No. 58, slip op. at 10 (2015) (Member Miscimarra, dissenting). Even applying those factors, he agrees with his colleagues that the Employer has raised no substantial issues warranting review.